

REMARKS

Applicants appreciate the thorough examination of the application that is reflected in the Office Action dated November 10, 2003, as well as the comments provided by the Examiner during the telephone interview of February 10, 2004. Applicants summarize some of the points discussed during that interview below. To expedite the prosecution of this application, Applicants cancel claims 2-8 and 17-28 without prejudice, and amend claims 1 and 29 to include the limitations of claim 8. Claims 1, 9-16, and 29 remain pending in the application. Applicants respectfully request reconsideration of the application.

Art-based RejectionsClaims 1 and 29

The Office rejects claims 1, 2, 4, 8, 14, 20-23 and 29 under 35 U.S.C. 102(b) as being anticipated by Mansouri et al. (USPN 5,715,282).

Applicants respectfully traverse these rejections for at least the following reasons.

Claim 1 relates to a method for mitigating adjacent channel interference (ACI) in a wireless communication system. Claim 1 has been amended to include limitations previously recited in original claim 8. Claim 1 requires:

determining a presence or absence of ACI in each of one or more frequency ranges in a pre-processed signal comprised of a desired signal component, wherein the presence or absence of ACI in the pre-processed signal is *determined via signaling from a transmitter*;

selecting a particular filter response from among a plurality of possible filter responses based on the determined presence or absence of ACI in each of the one or more frequency ranges; and

filtering the pre-processed signal with the selected filter response.
(Emphasis added.)

In rejecting original claim 8, the Examiner cites the decision signal 218 of the Mansouri et al. reference as teaching "signaling." The Office apparently asserts that Mansouri's teaching of "decision signal 218" meets the limitation of "the presence or absence of ACI in the pre-processed signal is *determined via signaling from a transmitter*." However, Applicants note that the decision signal 218 of the Mansouri et al. reference is a signal produced by the decision unit 224 that is communicated to the interference selectivity filter unit 226 to select a co-channel

interference filter, an adjacent channel interference filter, or no filtering. Moreover, the decision signal 218 of the Mansouri et al. reference is not “from a transmitter.”

Applicants respectfully submit that the cited references, taken alone or in combination, fail to teach or suggest, for example, that “the presence or absence of ACI in the pre-processed signal is *determined via signaling from a transmitter*,” as recited in claim 1. Applicants submit that the Office interprets the term “signaling” in a manner that is not consistent with the specification. For example, paragraph [1031] at page 7, of the specification discusses that:

The presence or absence of ACI in the received signal may be detected or determined using various schemes. In one scheme, the presence of ACI is communicated via messages and/or signaling from a transmitter (e.g., a base station in the CDMA system) to a receiver (e.g., a terminal). For some system deployments, the system is aware of the particular CDMA channels being used, their center frequencies, whether or not ACI is present on any given CDMA channel, and the frequency locations of the ACI on each CDMA channel. ACI information (e.g., which may indicate whether or not there are active transmissions on adjacent CDMA channels for each active CDMA channel) may be conveyed to the terminal, for example, as a broadcast message on the Sync channel, via messaging during system configuration, or by some other means. Once the terminal is informed of the presence and frequency locations of the ACI, it can select the proper filter response for each CDMA channel to mitigate ACI. (Emphasis added.)

Applicants note that the claims should not be construed as being limited to this embodiment.

Accordingly, Applicants respectfully submit that neither the cited portions the Mansouri et al. reference nor the other cited references teach this limitation. As such, Applicants respectfully submit that the cited references, taken alone or in combination, fail to teach or suggest, for example, that “the presence or absence of ACI in the pre-processed signal is *determined via signaling from a transmitter*,” as recited in claim 1. Because the cited references fail to teach or suggest at least the above recitations of claim 1, Applicants respectfully submit that claim 1 is patentable over the cited references. In addition, Applicants respectfully submit that dependent claims 9-14 are separately patentable at least by virtue of their dependency from independent claim 1, and also because those claims require other features that are neither

taught nor suggested by the cited references. Applicants further submit that independent claim 29 is patentable for at least similar reasons.

Claims 2-8 and 17-28

The Office rejects claim 5 under 35 U.S.C. 103(a) as being unpatentable over Mansouri et al. further in view of Lazar et al. (USPN 5,818,389), rejects claim 15 under 35 U.S.C. 103(a) as being unpatentable over Mansouri further in view of Jones et al. (USPN 3,623,098), rejects claim 16 under 35 U.S.C. 103(a) as being unpatentable over Mansouri in view of Jones et al. and further in view of Lazar, rejects claim 28 under 35 U.S.C. 103(a) as being unpatentable over Mansouri, and rejects claims 3, 6, 7, 9-13, 17-19, 24-26 and 27 under 35 U.S.C. 103(a) as being unpatentable over Mansouri further in view of Meyer et al. (a translation of WO 00/72454).

With respect to claims 2-8 and 17-28, Applicants submit that the rejection of those claims is rendered moot via their cancellation.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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